

ST. ONGE STEWARD JOHNSTON & REENS

GENE S. WINTER, *pro hac vice*
STEVEN B. SIMONIS, *pro hac vice*
986 Bedford Street
Stamford, CT 06905
Tel: (203) 324-6155
Fax: (203) 327-1096

BOUTIN DENTINO GIBSON DI GIUSTO HODELL INC.

CHRIS GIBSON, SBN 073353
555 Capitol Mall, Suite 1500
Sacramento, CA 95814-4603
Tel: (916) 321-4444
Fax: (916) 441-7597

Attorneys for Plaintiff
JOSEPH V. KAPUSTA

GREENBERG TRAUIG, LLP

KATHLEEN E. FINNERTY, SBN 157639
KENNETH S. KOREA, SBN 200060
1201 K Street, Suite 1100
Sacramento, California 95814-4603
Telephone: (916) 321-4444
Facsimile: (916) 441-7597

Attorneys for Defendant,
GALE CORPORATION

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JOSEPH V. KAPUSTA,)	Case No.: CIV-S-03-1232 LKK KJM
)	
Plaintiff,)	STIPULATION OF DIMISSAL
)	
vs.)	
)	
GALE CORPORATION,)	
)	
Defendant.)	

STIPULATION OF DISMISSAL

WHEREAS the parties have entered into a settlement agreement covering all matters here in controversy and have agreed that all claims and counterclaims asserted against all named parties in this action consequently should be dismissed with prejudice.

IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned counsel,
that: (1) The Case is dismissed with prejudice subject to the following stipulations and orders;
(2) The Court shall retain jurisdiction over all parties to this action for the purpose of
enforcement of a settlement agreement, and in the event of a breach of the settlement agreement, the
Court shall, upon motion by either of the parties, retain jurisdiction to enter the Consent Judgment
attached hereto as Exhibit A; and
(3) Each party shall bear its own costs and attorney's fees.

STIPULATED AND AGREED TO:

Dated: February 15, 2007

/s/

Gene S. Winter, *pro hac vice*
Steven B. Simonis, *pro hac vice*
St. Onge Steward Johnston & Reens, LLC
986 Bedford Street
Stamford, Connecticut 06905-5691
Telephone: (203) 324-6155
Facsimile: (203) 327-1096
Attorneys for Plaintiff


Dated: February 20, 2007

/s/

Kathleen E. Finnerty, State Bar No. 157639
Kenneth S. Korea, State Bar No. 200060
Greenberg Traurig LLP
1201 K Street, Suite 1100
Sacramento, California 95814-3938
Telephone: (916) 321-4444
Facsimile: (916) 441-7597
Attorneys for Defendant

IT IS SO ORDERED:

DATED: February 22, 2007


LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT

